

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-12811
Date Received: 4/28/1989
Receipt No: C004362
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HAROLD O. WHITBY 208-823-4487
Address: BOX 160 314 AUSTIN RD.
CAREY, ID 83320

AND

Name: DOROTHY B. WHITBY 208-823-4487
Address: BOX 160 314 AUSTIN RD.
CAREY, ID 83320

2. Date of Priority: OCT 15, 1949

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	22E	7	NW	NE	NW		BLAINE

5. Description of diverting works:
100 FT X 5 IN WELL, 3/4 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.120		

7. Total Quantity Appropriated is:
0.160 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME, 500 HEAD CATTLE

A37-12811

Page 1

Date: 06/21/89

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FEB 26 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	22E	7	NE	NW		DOMEST	
			NE	NW		STOCK	

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

\$25.00

48

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

A37-12811

Date Received

10-6-88

Receipt Number

C004362

RECEIVED

APR 28 1989

no \$ enclosed KSY
Department of Water ResourcesNOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25 Department of Water Resources

Southern Region Office

RECEIVED

OCT 6 1988

Please type or print clearly

1. Name of Claimant (s) Harold O. & Dorothy B. Whitby Phone () 823-4487Mailing Address Box 160 314 Austin Rd Carey Id Zip 833202. Date of Priority (Only one (1) per claim) 10-15-19493. Source of water supply (a) Groundwater
which is tributary to (b) _____4. Location of point of diversion is: Township 15 Range R22E
Section 7, NW 1/4 of NE 1/4 of NW 1/4, Govt. Lot _____, B.M.,
County of BLAINE

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. well, 100' deep, 3/4 HP pump,
5" casing

6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)

(Both dates are inclusive) (cfs)
For Dom purposes from 1-1 to 12-31 amount .04
For ST purposes from 1-1 to 12-31 amount .127. Total quantity claimed .16 (cfs)8. Total consumptive use claimed is de minimus

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9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of livestock)
One Domestic Household, 500 HEAD BEEF CATTLE

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
15	22E	7					D/S											

11. In which county (ies) are lands listed above as place of use located? Blaine

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (☒)

14. Remarks: _____

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐
Decree ☐

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ☐ do not ☐ wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Harold O. Whithy Date Oct 5 1988
Dorothy Whithy Date Oct 5 1988

For Organizations: I do solemnly swear or affirm that I am _____

_____ Title _____
of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title _____ Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 5th day of Oct 19 88

SEAL

Notary Public Melvin Gene Gibson

Residing at Boise, 2nd

My Commission Expires 9-2-1994

Last Name _____ Ident No. _____

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FEB 26 1993
Copies White-State, Yellow-Claimant



State of Idaho

DEPARTMENT OF WATER RESOURCES

(208) 327-7900

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - [REDACTED]

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 24, 1989

Harold and Dorothy Whitby
Box 160 314 Austin Rd.
CAREY, ID 83320

Claimant Initials: HW + DW

Dear Claimant:

Your Notice of Claim to a Water Right filed for your Blaine County property is returned because some items were blank or incomplete. Your receipt # CD4362 in the amount of \$ 25.00 for the filing fee is enclosed.

Another set of instructions is enclosed to assist you in completing the form along with an enclosure describing a deferral option now available to you. If you decide to continue the decree of your water right at the present time, please put the initials of your name in the space provided above and return the claim completed to the best of your ability to this office with this letter.

Before returning your claim you should read the enclosed information concerning the option of deferring filing domestic and/or stockwater claims. You are encouraged to complete the process of securing your water right to your property. The decision, however, is up to you.

If you choose to submit the claim please make the necessary corrections before MAY 1, 1989, to avoid being assessed a late filing fee. Should you choose to defer a determination of your water right until some time in the future, you do not need to complete the claim form. To obtain a refund of your filing fees if you choose the deferral option, please sign in the space provided below and return only this letter to the address shown above. Please do not hesitate to contact any office of the Department shown in the instructions if you have any questions or concerns.

Yours truly,

Donald V. Shaff
Manager, Adjudication Section

DVS:DSR3:AB:SP1
Enclosures

#A37-12811

I want to defer a determination of my water right and request a refund of the filing fees I have paid.

* Both Harold and Dorothy must sign the claim form.

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FEB 26 1993

WATER RIGHT NUMBER - A37-12811

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - +

+ - FIRST NAME - - +

+ - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
WHITBY

HAROLD D.

1 - BOX 160 314 AUSTIN RD.

2 -
3 -

CITY- CAREY

STATE- ID ZIP- 83320

PHONE - 208-823-4487

1 - BOX 160 314 AUSTIN RD.

2 -
3 -

CITY- CAREY

STATE- ID ZIP- 83320

PHONE - 208-823-4487

WHITBY

DOROTHY B.

+ - - PRIORITY DATE - - +
10/15/1949

+ - - - REGION - - - +
ERROR IN REGION

+ - - - STAGE - - - +
J - BENEFICIAL USE

+ - - - STATUS - - - - +

+ - - - - SOURCE - - - - - +
GROUNDWATER

+ - - - - TRIBUTARY - - - - - +

+ - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

01S 22E 7 NW NE NW (13) BLAINE

CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	WATER USE	DIVERSION RATE	DIVERSION VOLUME
43 - DOMESTIC		01/01	12/31		0.040	
04 - STOCKWATER		01/01	12/31		0.120	

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.160 0.0

TWN	RNG	SEC	TRACT	LOT	ACRES	PLACE OF USE CODE	DESCRIPTION	COUNTY
01S	22E	7	NE NW			04	STOCKWATER	(13) BLAINE
01S	22E	7	NE NW			43	DOMESTIC	(13) BLAINE

+ - - DIVERSION MEANS - 100 FT X 5 IN. WELL, 3/4 HP PUMP

+ - - NON-IRRIGATION USE - D/1 HOME, 500 HEAD CATTLE

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - REMARKS - - - - - +
NO REMARKS FOUND.

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

MICROFILMED
NOV 27 1996

WATER RIGHT NUMBER - A37-12811

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - CONDITIONS OF APPROVAL - - - - -
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 02/02/89 BAUMHOFF 06/21/89 SRBA 10/03/89 REFUNDML

+ - - - - COMMENTS - - - - -
NO COMMENTS FOUND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 04/28/1989	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- C004362	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE SPROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- AND	NOTICE OF ERROR FLAG	-

01522007507A A

PROOF
JAN 07 1992

DATA ENTRY
ENTERED 117-93 N
CHECKED 4/3/94 MD

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
MAR 04 1992

CERTIFIED
JAN 07 1992
WATER EXAMINER